REMARKS

Claims 15, 17-19 and 21-22 are all the claims pending in the application. Claim 15 has been amended to incorporate the feature of Claim 16. Similarly, Claim 19 has been amended to incorporate the feature of Claim 20. Claims 1-14, 16 and 20 have been canceled. Thus, no new matter has been introduced herein.

Applicants' claim for foreign priority has been acknowledged, however, it is indicated that none of the certified copies of the priority documents have been received by the Patent Office. In this regard, Applicants note that a certified copy of the priority document was submitted in the parent application (U.S. Application No. 10/212,071), on November 12, 2002. Acknowledgement of the receipt of the certified copies in the next Office communication is requested.

Referring to page 2 of the Office Action, Claims 15-22 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 4,939,239 to Matsuhashi et al. ("Matsuhashi"), in view of U.S. Patent No. 5,462,761 to McGinley et al. ("McGinley"). As indicated above, Claims 16 and 20 have been canceled; thus the rejection is moot with respect to these claims. Applicants traverse the rejection for the following reasons.

As amended, Claim 15 is directed to a method for suppressing an allergy comprising administering a pharmacologically effective amount of an IgE antibody inhibitor containing glucomannan to a patient in need thereof, wherein the glucomannan is in the form of refined *konjak* flour, the glucomannan is easily soluble in water, the glucomannan is a pulverized

product with an average particle diameter of 100 μm or less, and the glucomannan has a dietary fiber content of 95% or more.

Matsuhashi is relied upon to teach a hyposensitization agent prepared by covalently attaching a saccharide, including glucomannan, to a cedar pollen allergen. (*See Abstract*). Matsuhashi further discloses that the hyposensitization agent enhances the product of immunoglobulin G and M antibodies, which are specific to intact cedar pollen allergen, but reduces the production of immunoglobulin E antibody which is specific to the allergen and responsible for anaphylaxis and allergy. (*See Abstract*). The saccharide is disclosed to have an average molecular weight in the range of 500-10,000,000 (col. 1, l. 54 to col. 2, l. 24). The preparation of the hyposensitization agent can be in the form of a tablet, troche, ophthalmic solution, intranasal nebula, cream and lotion (col. 3, ll. 58-64). It is also asserted that Matsuhashi teaches that saccharide helps the prevention of anaphylaxis and facilitates the preparation of a more effective preparation for the treatment (Office Action at p. 2).

As recited in Claim 15, the IgE antibody inhibitor of the claimed invention comprises glucomannan, which is not covalently linked to an allergen. The hyposensitization agent taught by Matsuhashi, however, is a conjugate of a cedar pollen allergen and a saccharide, in which the allergen and the saccharide are covalently bonded to each other.

Moreover, on page 3 of the Office Action, it is acknowledged that Matsuhashi also does not teach the average particle size of glucomannan. In this regard, McGinley is relied upon to disclose the use of a composition of matter comprising dry, water-dispersible particles of

microcrystalline cellulose (MCC) coprocessed with a glucomannan, and useful as bulking agents and fat substitutes, especially in water-based formulations such as foods. (*See Abstract*; col. 2, ll. 5-9; 20-23). McGinley further discloses that the glucomannan is derived from konjak, and may be native (crude) konjak flour, clarified konjak glucomannan, or cold-melt konjak (col. 2, ll. 62-65). McGinley teaches that the average particle size of the inventive dry MCC/glucomannan spheroidal particles is 0.1 to 100 microns (col. 2, ll. 57-61).

It is asserted that it would have been obvious to modify the preparation taught by Matsuhashi using the particle taught by McGinley because McGinley allegedly discloses the use of glucomannan having a small particle size. However, this analysis is not correct. Matsuhashi actually teaches away from using a saccharide that is not covalently bonded to an allergen. Specifically, Matsuhashi discloses a mixture (rather than a conjugate) of an allergen and a saccharide as a control sample in Tables 1-3, showing inferior results, compared to the use of allergen-saccharide conjugates.

In addition, independent Claims 15 and 19 have been amended to incorporate the feature of the glucomannan having a dietary fiber content of 95% or more. Neither Matsuhashi nor McGinley teach that the glucomannan utilized therein has a dietary fiber content of 95% or more, as recited in Claims 15 and 19.

In light of the deficiencies of the teachings of Matsuhashi and McGinley, the rejection of Claims 15 and 19 under 35 U.S.C. § 103(a) over Matsuhashi and McGinley, alone or in combination, is improper. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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